

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:

Dallas County Republican Party,
and Jill Mellinger, as Treasurer

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Dallas County Republican Party and Jill Mellinger, as treasurer (collectively, "the Committee"), violated 2 U.S.C. § 434(a)(4)(A)(i).

NOW, THEREFORE, the Commission and the Committee, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Committee and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).
- II. The Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. The Committee enters voluntarily into this agreement with the Commission.

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IV. The pertinent facts in this matter are as follows:

1. Dallas County Republican Party is a political committee within the meaning of 2 U.S.C. § 431(4), and is not an authorized committee of any candidate.
2. Jill Mellinger is the current treasurer of the Dallas County Republican Party.
3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires treasurers of political committees, other than authorized committees of a candidate, to file quarterly reports in a calendar year in which a regularly scheduled general election is held, which are to be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i).
4. The Committee failed to timely file a 2000 April Quarterly Report, covering the period from February 24, 2000 to March 31, 2000. The Committee was required to file the 2000 April Quarterly Report no later than April 15, 2000.
5. On June 13, 2000, the Committee electronically filed a report covering the 2000 April Quarterly reporting period, which disclosed \$2,681.14 in receipts and \$15,875 in disbursements. On June 14, 2000, the Committee electronically filed an Amended 2000 April Quarterly report, which disclosed receipts of \$25,425.16 or an increase of \$22,744.02, and disbursements of \$20,367.80, or an increase of \$4,492.80. On September 7, 2000, the Committee filed another Amended 2000 April Quarterly Report, which disclosed \$25,425 in total receipts and \$28,362 in total disbursements. The Committee did not file an accurate report of its receipts and disbursement until

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September 7, 2000, or 145 days after the due date. The Committee contends that it filed the September amendment on its own initiative after its treasurer discovered omissions within the report and undertook an internal audit of the Committee's receipts and disbursements. The Commission notes that on July 19, 2000, it sent a Request for Additional Information to the Committee informing it, among other things, "your [June 14] report discloses limited payments for administrative expenses." In fact, the June 14 amendment disclosed no itemized disbursements at all for the month of March 2000.

6. The Committee contends that any violation of law in this matter was not knowing and willful. The Commission has not found or alleged that any violation of law in this matter was knowing and willful.

V. The Committee failed to timely file the 2000 April Quarterly Report, in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. A civil penalty in the amount of Two Thousand Seven Hundred dollars (\$2,700), will be paid to the Federal Election Commission pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed it and the Commission has approved the entire agreement.

IX. The Committee shall have no more than 30 days from the date this agreement Becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lois G. Lerner
Acting General Counsel

BY: Abigail A. Shaine
Abigail A. Shaine
Acting Associate General Counsel

9/13/01
Date

FOR THE RESPONDENTS:

Robert J. Driegent
(Name) Robert J. Driegent
(Position) Chairman of Dallas County
Republican Party

8-17-01
Date